

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FERNANDO CORIA, JR.,

Plaintiff,

v.

GARCIA, et al.,

Defendants.

No. 1:20-cv-01652-DAD-GSA (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. No. 37)

Plaintiff Fernando Coria, Jr. is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action filed pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B).

On April 7, 2022, the assigned magistrate judge issued findings and recommendations, recommending that this action proceed only on plaintiff's excessive use of force claims brought against defendants Garcia, Navarro, Gallaway, and Avila-Becerra, and that all other remaining claims be dismissed from this action due to plaintiff's failure to state a claim. (Doc. No. 37.) On April 15, 2022, plaintiff filed a notice with the court that he is willing to proceed only on the claims that the magistrate judge found to be cognizable. (Doc. No. 38.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly,

1. The findings and recommendations issued on April 7, 2022 (Doc. No. 37) are adopted;
2. This action now proceeds only on plaintiff's excessive force in violation of the Eighth Amendment claims against defendants Garcia, Navarro, Gallaway, and Avila-Becerra;
3. All remaining claims and defendants are dismissed from this action; and
4. This case is referred back to the assigned magistrate judge for further proceedings.

IT IS SO ORDERED.

Dated: April 29, 2022


UNITED STATES DISTRICT JUDGE